

CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE

**Project Staff Report
2009 Single Round
September 10, 2009**

Project Number CA-2009-007

Project Name Juniper Avenue Family Apartments
Site Address: Northwest corner of Juniper Avenue and Valley Boulevard
Fontana, CA 92335 County: San Bernardino
Census Tract: 0033.00

Applicant Information

Applicant: Fontana Valley Blvd. Housing Partners, L.P.
Contact: Frank Cardone
Address: 18201 Von Karman Avenue, Suite 900
Irvine, CA 92612
Phone: (949) 660-7272 **Fax:** (949) 660-7273
Email: fcardone@related.com
General Partner Type: Joint Venture

Information

Set-Aside: N/A
Housing Type: Large Family
Geographic Area: Inland Empire

| Tax Credit Amounts | Federal/Annual | State/Total |
|---------------------------|-----------------------|--------------------|
| Requested: | \$1,252,242 | \$0 |
| Recommended: | \$1,252,242 | \$0 |

Project Information

Construction Type: New Construction
Federal Subsidy: N/A
Total # of Units: 50
Total # Residential Buildings: 13
Federal Set-Aside Elected: 40%/60%
% & No. of Tax Credit Units: 100% - 49 units

Eligible Basis

Requested: \$10,702,924
Actual: \$16,392,057
Maximum Permitted: \$10,702,924

Adjustments to Threshold Basis Limit:

- 3 or More Energy Efficiency/Resource Conservation/Indoor Air Quality Features:
- Projects using CRI Green Label Plus Carpet or no carpet in all bedrooms
 - Projects using vent kitchen range hoods to the exterior of the building in at least 80% of the units
 - Projects using at least four recycled products listed in the Construction, Flooring, or Recreation section of the California Integrated Waste Management Board's Recycled Content Products Database)

Local Development Impact Fees

| Selection Criteria | Max. Possible Points | Requested Points | Points Awarded |
|---|-----------------------------|-------------------------|-----------------------|
| <i>Cost Efficiency/Credit Reduction/Public Funds</i> Maximum 20 points | 20 | 20 | 20 |
| <input checked="" type="checkbox"/> Public Funds | 20 | 20 | 20 |
| <i>Owner / Management Characteristics</i> Maximum 9 points | 9 | 9 | 9 |
| <input checked="" type="checkbox"/> General Partner Experience | 6 | 6 | 6 |
| <input checked="" type="checkbox"/> Management Experience | 3 | 3 | 3 |
| <i>Housing Needs</i> Maximum 10 points | 10 | 10 | 10 |
| <i>Site Amenities</i> Maximum 15 points | 15 | 15 | 15 |
| <input checked="" type="checkbox"/> Within ¼ mile of transit stop with service every 30 minutes during rush hours | 6 | 6 | 6 |
| <input checked="" type="checkbox"/> Within ½ mile of public park or community center open to general public | 2 | 2 | 2 |
| <input checked="" type="checkbox"/> Within ¼ mile of a full-scale grocery store with staples, fresh meat and fresh produce | 4 | 4 | 4 |
| <input type="checkbox"/> Large Family project within ½ mile of public school that project children may attend | 2 | 2 | 0 |
| <input checked="" type="checkbox"/> Within ½ mile of medical clinic or hospital | 3 | 3 | 3 |
| <input type="checkbox"/> Within ¼ mile of a pharmacy | 2 | 2 | 0 |
| <input checked="" type="checkbox"/> Within ½ mile of a pharmacy | 1 | 0 | 1 |
| <i>Service Amenities</i> Maximum 10 points | 10 | 10 | 10 |
| <input checked="" type="checkbox"/> After school programs of an ongoing nature for school age children | 5 | 5 | 5 |
| <input checked="" type="checkbox"/> Educational classes (e.g. ESL, Computer training, etc. and aren't same as After School) | 5 | 5 | 5 |
| <input checked="" type="checkbox"/> Bona fide Service Coordinator/Social Worker | 5 | 5 | 5 |
| <i>Sustainable Building Methods</i> Maximum 8 points | 8 | 8 | 8 |
| <input checked="" type="checkbox"/> Energy star rated ceiling fans in bedroom/living room; whole house fan; economizer | 2 | 2 | 2 |
| <input checked="" type="checkbox"/> Flow restrictors for kitchen & bath faucets or water-saving fixtures | 1 | 1 | 1 |
| <input checked="" type="checkbox"/> Formaldehyde free cabinets, countertops and shelving | 1 | 1 | 1 |
| <input checked="" type="checkbox"/> CRI Green-label, low-VOC carpet and pad | 1 | 1 | 1 |
| <input checked="" type="checkbox"/> Bathroom fans in all bathrooms w/humidistat, timer and outdoor exhaust | 2 | 2 | 2 |
| <input checked="" type="checkbox"/> Formaldehyde-free insulation | 1 | 1 | 1 |
| <i>Lowest Income</i> Maximum 52 points | 52 | 52 | 52 |
| <input checked="" type="checkbox"/> Basic Targeting | 50 | 50 | 50 |
| <input checked="" type="checkbox"/> Deeper Targeting – at least 10% of units @ 30% AMI or less | 2 | 2 | 2 |
| <i>Readiness to Proceed</i> Maximum 20 points | 20 | 20 | 20 |
| <i>State Credit Substitution</i> Maximum 2 points | 2 | 2 | 2 |
| Total Points | 146 | 146 | 146 |

Tie-Breaker Information

First: Housing Type **Large Family**
 Second: Calculated Ratio per Regulation 10325(c)(10) **85.660%**

| Unit Type & Number | 2009 Rents % of Area Median Income (rounded) | Proposed Rent (including utilities) |
|-------------------------------|---|--|
| 3 Two-bedroom Units | 30% | \$449 |
| 3 Two-bedroom Units | 40% | \$599 |
| 20 Two-bedroom Units | 50% | \$748 |
| 8 Two-bedroom Units | 60% | \$898 |
| 2 Three-bedroom Units | 30% | \$519 |
| 2 Three-bedroom Units | 40% | \$692 |
| 5 Three-bedroom Units | 50% | \$865 |
| 6 Three-bedroom Units | 60% | \$1,038 |
| 1 Two-bedroom Unit | Manager's Unit | \$0 |

The general partner(s) or principal owner(s) are Related/Fontana Valley Blvd. Development Co. LLC and Fontana Valley Blvd. Housing Partners MGP, LLC.

The project developer is Related Development Company, LLC.

The management agent is Related Management Company.

The market analyst is Apt Market Research.

The Local Reviewing Agency has not yet completed a site review of this project. Any negative comments in the LRA report will cause this staff report to be revised to reflect such comments.

Project Financing

Estimated Total Project Cost: \$24,060,877 Per Unit Cost: \$481,218 Construction Cost Per Sq. Foot: \$204

| Construction Financing | | Permanent Financing | |
|---------------------------|-------------|---------------------------|---------------------|
| Source | Amount | Source | Amount |
| Union Bank of California | \$8,747,702 | Union Bank of California | \$1,235,000 |
| Fontana HA* | \$8,100,000 | Fontana HA* | \$8,100,000 |
| Fontana HA* Land Donation | \$5,335,000 | Fontana HA* Land Donation | \$5,335,000 |
| Deferred Developer Fee | \$939,088 | Investor Equity | \$9,390,877 |
| Investor Equity | \$939,088 | | |
| | | TOTAL | \$24,060,877 |

*HA = Housing Authority

Determination of Credit Amount(s)

| | |
|---|--------------------------|
| Requested Eligible Basis: | \$10,702,924 |
| 130% High Cost Adjustment: | Yes |
| Applicable Fraction: | 100% |
| Qualified Basis: | \$13,913,802 |
| Applicable Rate: | 9.00% |
| Maximum Annual Federal Credit: | \$1,252,242 |
| Approved Developer Fee in Project Cost | \$1,600,000 |
| Approved Developer Fee in Eligible Basis: | \$1,400,000 |
| Investor: | Union Bank of California |
| Federal Tax Credit Factor: | \$.74993 |

Cost Analysis and Line Item Review

Staff analysis of project costs to determine reasonableness found all fees to be within TCAC's underwriting guidelines and TCAC limitations. Annual operating expenses exceed the minimum operating expenses established in the Regulations, and the project pro forma shows a positive cash flow from year one. Staff has calculated federal tax credits based on 9.00% of the qualified basis. TCAC's financial evaluation at project completion will determine the final allocation.

Special Issues/Other Significant Information: None

Legal Status: Staff has reviewed the Applicant's responses to the questions contained in the Legal Status portion of the Application. No information was disclosed that raised any question regarding the financial viability or legal integrity of the applicant.

Recommendation: Staff recommends that the Committee make a preliminary reservation of tax credits, in the following amount(s) contingent upon standard conditions and any additional conditions imposed by the Committee:

| Federal Tax Credits/Annual | State Tax Credits/Total |
|-----------------------------------|--------------------------------|
| \$1,252,242 | 0 |

Standard Conditions

An application for a carryover allocation must be submitted by **November 20, 2009**, as required by regulation sections 10328(d) and 10323(d)(2), together with the applicable allocation fee and all required documentation. The time for meeting the “10%” test and submitting related documentation will be no later than twelve (12) months after the date of the executed carryover allocation (as defined by IRC Section 42 and IRS Notices). The applicant must ensure the project meets all Additional Threshold Requirements for the housing type of the proposed project.

The applicant must submit all documentation required for a Final Reservation no later than February 1 of the year that the building(s) must be placed in service pursuant to Section 42(h)(1)(E)(i) of the Internal Revenue Code of 1986, as amended. The applicant shall provide the Committee a Final Reservation application providing the documentation for the project set forth in Section 10322(i)(1) of these regulations. Failure to provide the documentation at the time required may result in rescission of the Credit reservation and cancellation of a carryover allocation.

TCAC makes the preliminary reservation only for the project specified above in the form presented, and involving the parties referred to in the application. No changes in the development team or the project as presented will be permitted without the express approval of TCAC.

The applicant must pay TCAC a performance deposit and allocation fee calculated in accordance with regulation. The performance deposit and allocation fees must be paid by cashier's check within the time periods specified in the preliminary reservation. The allocation fee must be paid within a time period specified in the preliminary reservation letter. The allocation fee will be due prior to execution of a carryover allocation or issuance of tax forms, whichever comes first. Additionally, TCAC requires the project owner to pay a monitoring fee before issuance of tax forms.

As project costs are preliminary estimates only, staff recommends that a reservation be made in the amount of federal credit and state credit shown above on condition that the final project costs be supported by itemized lender approved costs and certified costs after the buildings are placed in service.

All unexpended funds in reserve accounts established for the project must remain with the project to be used for the benefit of the property and/or its residents, except for the portion of any accounts funded with deferred developer fees.

All fees charged to the project must be within TCAC limitations. Fees in excess of these limitations will not be considered when determining the amount of credit when the project is placed-in-service.

The applicant/owner shall be subject to underwriting criteria set forth in Section 10327 of the regulations through the final feasibility analysis performed by TCAC at placed-in-service.

Credit awards are contingent upon applicant's acceptance of any revised total project cost, qualified basis and tax credit amount determined by TCAC in its final feasibility analysis.

If points were awarded for service amenities, the applicant will be required to provide such amenity or amenities identified in the application, for a minimum period of ten years and at no cost to the tenants.

Applicants that received points for sustainable building methods (energy efficiency) must submit the certification required by Section 10325(c)(6) at project completion.

Applicants that received increases (exceptions to limits) in the threshold basis limit under Section 10327(c)(5) must submit the certification required by Section 10322(i)(2)(P) at project completion.

Additional Conditions

Applicants that received 20 points for readiness to proceed must meet ALL of the following requirements. The applicant must be ready to begin construction within 150 days of the Credit Reservation which is **February 8, 2010**, as evidenced by submission, within that time of, recorded deeds of trust for all construction financing, payment of all construction lender fees, issuance of building permits and notice to proceed delivered to the contractor. Failure to meet this timeline will result in rescission of the Credit Reservation.

Project Analyst: DC Navarrette